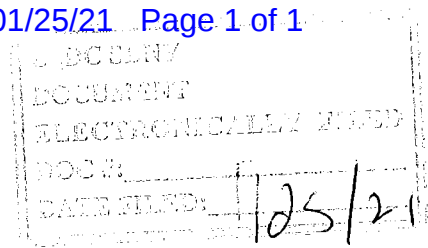


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHRISTOPHER MONGIELLO,  
Plaintiff,

v.

CAPITAL ONE BANK (USA), N.A.,  
Defendant.  
-----X



**ORDER OF DISMISSAL**

20 CV 549 (VB)

The Court has been advised that the parties have settled this case. Accordingly, it is hereby ORDERED that this action is dismissed without costs, and without prejudice to the right to restore the action to the Court's calendar, provided the application to restore the action is made by no later than March 26, 2021. To be clear, any application to restore the action must be filed by March 26, 2021, and any application to restore the action filed thereafter may be denied solely on the basis that it is untimely.

All other deadlines, scheduled conferences, or other scheduled court appearances are canceled. Any pending motions are moot.

Dated: January 25, 2021  
White Plains, NY

SO ORDERED:

Vincent L. Briccetti  
United States District Judge